



U.S. DEPARTMENT of STATE

Lebanon

Country Reports on Human Rights Practices - [2004](#)

Released by the Bureau of Democracy, Human Rights, and Labor
February 28, 2005

Lebanon is a parliamentary republic in which the President is a Maronite Christian, the Prime Minister a Sunni Muslim, and the Speaker of the Chamber of Deputies a Shi'a Muslim. President Emile Lahoud took office in 1998 after an election by Parliament that was heavily influenced by Syria. In September, in a locally unpopular move, Syria pressured parliamentarians to pass a Constitutional amendment to extend President Lahoud's term for 3 additional years; it will now end on November 24, 2007. The Parliament consists of 128 deputies, equally divided between Christian and Muslim representatives. In the 2000 parliamentary elections, incumbent Prime Minister Salim al-Hoss lost his seat in a contested election, and former Prime Minister Rafiq Hariri then was named Prime Minister by President Lahoud. According to international observers, the elections were flawed; however, there reportedly were fewer voting irregularities than in the 1996 parliamentary elections. The Constitution provides for an independent judiciary; however, in practice, it was subject to political pressure.

Syrian military and Lebanese and Palestinian militias, particularly Hizballah, retained significant influence over much of the country. Approximately 15,000 Syrian troops were stationed in locations throughout the country, excluding the area bordering on Israel in the south of the country. In September, Syria claimed to have carried-out a redeployment of its troops in the country, withdrawing approximately 3,000; however, the actual number is believed to be less than 1,000. An undetermined number of Syrian military intelligence personnel in the country continued to conduct their activities independently. In 2000, following the Israeli Defense Forces (IDF) withdrawal from the south, the Government deployed more than 1,000 police and soldiers to the former Israeli security zone. However, the Government has not attempted to disarm Hizballah, a terrorist organization operating in the region, nor have the country's armed forces taken sole and effective control over the entire area. Palestinian groups, including armed factions, operated autonomously in refugee camps throughout the country.

The security forces consist of the Lebanese Armed Forces (LAF) under the Ministry of Defense, which may arrest and detain suspects on national security grounds; the Internal Security Forces (ISF) under the Ministry of the Interior, which enforce laws, conduct searches and arrests, and refer cases to the judiciary; and the State Security Apparatus, which reports to the Prime Minister and the Surete Generale (SG) under the Ministry of the Interior, both of which collect information on groups deemed a possible threat to state security. These security forces committed numerous, serious human rights abuses, sometimes acting independently, and other times on instruction of senior government officials. Syrian and Palestinian security forces operated independently of Lebanese security forces and also committed numerous, serious human rights abuses. There were credible reports that Lebanese security forces personnel detained individuals on the instruction of Syrian intelligence agencies.

The country maintained a free market economy, with no controls on the movement of capital and foreign exchange. The country's population of approximately 4.4 million, had an estimated active labor force of 1.5 million, the majority of which were employed in the service sector and in a small industrial sector. Real gross domestic product continued to grow at 2 to 2.5 percent annually. While there were no reliable government statistics, most analysts estimated unemployment at 20 to 25 percent.

The Government's overall human rights record remained poor; although there were some improvements in a few areas, serious problems remained. The right of citizens to change their government remained significantly restricted by the lack of complete government control over parts of the country, shortcomings in the electoral system, the flawed 2000 elections, and Syrian influence. Members of the security forces used excessive force and tortured and abused some detainees. Prison conditions remained poor. The Government also arbitrarily arrested and detained persons who were critical of government policies. Lengthy pretrial detention and long delays in trials remained problems. The courts were subject to political pressure, seriously hampering judicial independence. During the year, the Government infringed on citizens' privacy rights and continued surveillance of political activities. The Government limited press and media freedom. The Government continued to restrict freedom of assembly and imposed some limits on freedom of association. Domestic violence against women and children remained problems. There were some restrictions on freedom of religion. The Government imposed some limits on freedom of movement. Discrimination against women in some areas and widespread, systematic discrimination against Palestinians, forced labor, including by children, child labor, and the mistreatment of foreign domestic servants remained problems. Trafficking in persons was a problem.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

On February 11, Mohammad Shreidi, brother of Abdallah Shreidi, leader of the Asbat al-Nur Sunni Islamic extremist group, was shot and killed by unidentified gunmen near his home in Ayn al-Hilwe. Abdallah Shreidi had been critically injured and died 3 months after militant Islamists and Palestinian gunmen clashed in May 2003. At year's end, there were no arrests in either case.

On July 6, Hussein Jamil Ramadan was found dead in a detention facility run by the SG. The SG claimed that Ramadan committed suicide and, in a communiqué, said that the Prosecutor's office ordered an investigation into the matter. Hussein's family doubted the suicide story and requested a detailed investigation. At year's end, a final report had not been issued.

On July 19, a man identified as Hizballah member Ghalib Awwali was killed by a bomb planted in his car in the Mu'awwad area of the southern suburbs of Beirut. Hizballah Secretary General Hassan Nasrallah accused Israel of masterminding the killing; at year's end, there were no arrests.

On May 27, the General Confederation of Labor called for a general strike to protest high fuel prices. The protest turned violent when protestors in Beirut closed roads with burning tires. LAF troops attempted to open roads; however, protestors pelted them with stones, and LAF troops opened fire on demonstrators killing 5 persons and wounding at least 17 others (see Section 2.b.). Several of the protesters were arrested and sentenced to 30 to 60 days in jail for disturbing the peace and resisting the army; however, no legal action was taken against any of the soldiers.

On August 2, 2003, a man identified as 42-year-old Hizballah member Ali Hussein Saleh was killed in a car bomb explosion in Beirut's southern suburbs. Some government officials and Hizballah accused Israel of carrying out the killing; at year's end, there were no new developments in the case.

No group claimed responsibility for the 2002 killing of American citizen missionary Bonnie Weatherall; however, on September 22, security forces arrested 14 people they claimed were members of the al-Qaeda network, and the Prosecutor General announced that the leader of the group, Ahmad Mikati, played a role in the Weatherall killing.

There were no developments in the 2002 killing of Ramzi Irani, the officer-in-charge of the banned Lebanese Forces.

During the year, violent cross-border incidents since the 2000 IDF withdrawal, involving Hizballah, Palestinian, and other unidentified armed elements, continued.

In January, Hizballah fighters fired on an Israeli military vehicle in South Lebanon after it crossed the international border in the town of Marwaheen in the western sector and killed an Israeli soldier. Israeli warplanes bombed Hizballah bases in Southern Lebanon in retaliation.

On March 22, Hizballah fired rockets and mortars at Israeli army positions in the Sheba' farms and adjacent areas. This attack followed eight incursions into Lebanese airspace by Israeli aircraft.

On March 23, Israeli helicopters targeted guerrillas preparing to fire rockets into Israel near Hula. Two members of the Popular Front for the Liberation of Palestine-General Command (PFPL-GC) were killed and one was wounded.

On May 5, a cycle of armed exchanges across the Blue Line began. Israel carried out more than 20 air sorties over the country. Subsequently, Hizballah fired several anti-aircraft rounds with shrapnel landing inside Israel. On May 7, Hizballah attacked IDF positions in the Sheba' farms with heavy rocket, mortar, and small arms fire. One Israeli soldier was killed and five others were wounded in the attack. Lebanese authorities asserted that the Hizballah firing had been preceded by an Israeli army foot patrol crossing the Blue Line.

On June 7, unidentified armed operatives, presumed to be Palestinians, fired three rockets toward Israel. Two of the rockets landed on Lebanese territory and one fell into the sea. In retaliation, the Israeli air force attacked a Palestinian installation near Naameh, 10 kilometers south of Beirut, which was maintained by the PFLP-GC. No casualties were reported.

On July 20, Hizballah snipers fired on an Israeli outpost near Chetula, killing two Israeli soldiers. The IDF retaliated with tank fire directed at a Hizballah position, killing one operative manning the post. That night, there were multiple Israeli flights over Lebanon, two of which generated powerful sonic booms over Beirut.

In October, unknown persons made an attempt on the life of former Minister and Druze politician Marwan Hamadeh, allied with Druze leader Walid Junblatt in calling for a redirection in Syrian influence in Lebanon. A bomb exploded near his car injuring his driver and killing his bodyguard. Hamadeh escaped with serious injuries. At year's end, a government investigation was

underway, but there were no arrests.

The country's landmine and unexploded ordinance (UXO) problem was estimated by the National Demining Office at over 550,000 landmines and UXOs throughout the country, with as many as 400,000 of these in the former Israeli occupied security zone in the south. From the late 1990s to the present, 150,000 landmines and 80,000 UXO's have been destroyed. One million square meters of land were cleared during the year, much of it returned to productive use. According to the National Demining Office, there have been a total of 2,793 landmine victims in the country since 1990. During the year there were nine landmine victims, most of whom were deminers. Foreign governments continued to support these demining efforts.

b. Disappearance

There were no reports of politically motivated disappearances.

In January, Hizballah and Israel carried out the first phase of a prisoner exchange. As a result, 21 Lebanese prisoners were returned to the country on January 29, followed by the January 30 repatriation of the remains of 59 Hizballah fighters killed in guerilla operations during the Israeli occupation of South Lebanon. Hizballah for its part returned the remains of three Israeli soldiers and released IDF reservist Elhann Tannenbaum, who was kidnapped in 2000. A second phase, a promised Hizballah investigation into the fate of Israeli airman Ron Arad and the release of additional Lebanese prisoners by Israel, which was the result of secret negotiations, had not materialized at year's end.

At year's end, the Government had not yet disclosed the findings of a 2000 report investigating cases of disappearance during the 1975-89 civil war.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution does not specifically prohibit torture, and there continued to be credible reports that security forces abused detainees and, in some instances, used torture. Human rights groups reported that torture was a common practice. The Government acknowledged that violent abuse usually occurred during preliminary investigations conducted at police stations or military installations, in which suspects were interrogated without an attorney. Such abuse occurred despite laws that prevented judges from accepting any confession extracted under duress.

Methods of torture reportedly included beatings and suspension by arms tied behind the back. Some former Southern Lebanese Army (SLA) detainees reported that they were abused or tortured. Amnesty International (AI) and other human rights organizations reported that some detainees were beaten, handcuffed, blindfolded, and forced to lie face down on the ground.

In September, Ismail al-Khatib died in custody a week after being arrested as a suspected leader of al-Qaeda in Lebanon. The Government coroner reported al-Khatib, who was 31 years old, died of a massive heart attack, but speculation attributed his death to torture. An independent investigation was undertaken by local human rights organizations; however, at year's end, no findings had been released.

During the year, there were credible reports that army intelligence held detainees blindfolded and handcuffed in the "farouj" position (Arabic for "chicken"). Individuals reportedly were handcuffed with their hands at their ankles in a hunched over position for days at a time while being interrogated.

Abuses also occurred in areas outside the Government's control, including in Palestinian refugee camps. During the year, there were reports that members of the various groups that controlled specific camps detained their Palestinian rivals (see Section 1.d.). Rival groups, such as Fatah and Asbat al-Nur, regularly clashed over territorial control in the various camps, sometimes leading to exchanges of gunfire and the detention of rival members.

Prison conditions were poor and did not meet minimum international standards. Prisons were overcrowded, and sanitary conditions in the women's prison, in particular, were poor. There were no serious threats to health, but indirect threats were noted, such as skin conditions and physical and mental stress; the latter was especially noteworthy in Yarze prison. The Government did not allocate funds for prison reform; however, it allocated funds to build a new detention facility in the Biqa' area. The total number of prisoners was estimated at about 5,000, of whom one third have yet to be tried or convicted. The Government made a modest effort to rehabilitate some inmates.

During April, the parliamentary Committee for Human Rights carried out inspection visits to most of the detention facilities with the exception of the facilities run by the Ministry of Defense. The head of the delegation stated that the "central prison of Roumieh faces some problems that could be easily resolved." However, commenting on the women's prisons, he said these prisons do not deserve to be considered as stables for animals, and called for their immediate closure. Describing the prison in Baabda, he said, "there are only 5 cells and 95 inmates and the cells are infested with cockroaches and rodents and prisoners are not even exposed to sun."

In November, the First Lady inaugurated a renovation in Roumieh prison, which was funded by a human rights organization. During June 2003, she awarded certificates to 44 women held in Baabda prison who completed training in hairdressing,

cosmetics, and knitting. During May 2003, 40 prisoners were awarded certificates for computer skills they acquired at Roumieh central prison. The ISF donated 20 used computers to provide training for more inmates.

Men, women, and juveniles were held separately in government prisons. Although there was some effort to keep pretrial detainees separate from convicted prisoners, overcrowding often prevented such separation.

The SG, which is in charge of border posts, operated a detention facility for detainees, mostly Egyptians and Sri Lankans, pending deportation. Their detention was supposed to be for 1 to 2 months, pending the regularization of their status. However, some persons, primarily asylum seekers, were detained for more than a year and eventually deported.

Former Lebanese Forces leader Samir Ja'Ja, who is serving four life sentences for the murder or attempted murder of various political figures during and after the civil war, was kept in solitary confinement in a prison in the basement of the Ministry of Defense. Government officials stated that his solitary confinement was necessary for his own protection, but they moved him to a more comfortable ground level cell in September.

During the year, local journalists and human rights organizations were given access to all prisons except the Yarze prison controlled by the Ministry of Defense. During the year, Yarze was visited by members of the Human Rights Committee of the Parliament. Any former SLA soldiers still in prison were treated as normal prisoners. In September 2002, the Cabinet ordered that International Committee of the Red Cross (ICRC) representatives should be allowed to visit all prisons, including the one under the control of the Ministry of Defense. However, by year's end, the Ministry of Defense continued to refuse permission for the ICRC to visit Yarze.

d. Arbitrary Arrest or Detention

The law requires the ISF to obtain warrants before making arrests; however, the Government used arbitrary arrest and detention. Military intelligence personnel made arrests without warrants in cases involving military personnel and those involving espionage, treason, weapons possession, and draft evasion (see Section 1.e.). The 2004 report by the Parliamentary Commission for Human Rights estimated that of the approximately 5,000 persons being held in prison, one third had not been convicted of any crime.

The Code of Criminal Procedure provides legal protection to suspects, including the right to a lawyer, to a medical examination, and to inform next of kin. Under the code, arresting officers are required to refer a subject to a prosecutor within 48 hours of arrest. If a suspect is held more than 48 hours without formal charges, the arrest is considered arbitrary and the detainee must be released. In such cases, officials responsible for the prolonged arrest may be prosecuted on charges of depriving personal freedom. A suspect caught in hot pursuit must be referred to an examining judge, who decides whether to issue an indictment or order the release of the suspect. Under the code, bail is available in all cases regardless of the charges. Many provisions of the code were not observed in practice.

Defendants have the right to legal counsel, but there was no state-funded public defender's office. The bar association operated an office for those who could not afford a lawyer, and the court panel on many occasions asked the bar association to appoint lawyers for defendants.

Security forces continued the practice of arbitrary arrest and detention. On several occasions during the year, security forces detained and arrested citizens on grounds of national security. Protestors were also arbitrarily detained and arrested (see Section 2.b.). The Government also detained, interrogated, and harassed journalists (see Section 2.a.); however, in contrast to previous years, there were no instances of physical abuse.

In September 2003, the SG detained and questioned Samira Trad, executive manager of Frontiers Center, a private company that conducted studies and advocates for the rights of marginalized people, for her human rights activities. Authorities questioned her concerning slandering the country and operating an illegal association. Subsequently, Trad was released without charges, and has not been further harassed.

The Government initially held incommunicado most of the 3,000 SLA members who surrendered to the authorities following the IDF's withdrawal in 2000; however, lawyers and family members have since been provided access. Most SLA members have served their sentences and have been released; others continued to serve their sentences as regular prisoners.

The authorities often detained without charge for short periods of time political opponents and opponents of the Syrian Government.

Palestinian refugees were subject to arrest, detention, and harassment by state security forces, Syrian forces, and rival Palestinians. For example, Palestinian refugees living in camps were not allowed to bring in construction material to repair damaged houses. Lebanese security services use this circumstance as leverage to recruit informers and buy their allegiance.

Again, during the year, there were no allegations that the Government transferred citizens to Syria, and the nine persons arrested by Syrian Forces during and after the civil war and turned over in 2000 to the Government reportedly were released.

quietly at the end of the year. Abu Haytham Karara, an official of the Progressive Socialist Party, who was one of the nine, was deported to Egypt. No formal charges were brought against any of the nine. Human rights activists believed that there were numerous Lebanese, Palestinians, and Jordanians in prolonged and often secret detention. According to a 2002 AI report, Syrian forces operating in the country carried out searches, arrests, and detentions of citizens outside any legal framework. Syrian forces in the country continued to influence citizens through extralegal means, such as questioning and the threat of detention.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, it was subject to political pressure. The Constitution provides for a Constitutional Council to determine the constitutionality of newly adopted laws upon the request of 10 members of Parliament and stipulates that judges shall be independent in the exercise of their duties; however, influential politicians as well as Syrian and Lebanese intelligence officers at times intervened and protected their supporters from prosecution.

In a speech on September 6, President Lahoud criticized political interference in the judiciary and said, "The judiciary ought to be immune from political interference." He pledged to fight political interference during the next 3 years of his extended mandate.

The judicial system consists of the regular civilian courts; the Military Court, which tries cases involving military personnel and civilians in security-related issues; the Judicial Council, which tries national security cases; and the tribunals of the various religious affiliations, which adjudicate matters of personal status, including marriage, divorce, inheritance, and child custody (see Section 5).

The Judicial Council is a permanent tribunal of five senior judges that adjudicates threats to national security. Upon the recommendation of the Minister of Justice, the Cabinet decides whether to try a case before this tribunal. Verdicts from this tribunal are irrevocable and may not be appealed.

The Ministry of Justice appoints all other judges based on the religious affiliation of the prospective judge. A shortage of judges impeded efforts to adjudicate cases backlogged during years of internal conflict. Trial delays were aggravated by the Government's inability to conduct investigations in areas outside of its control.

Trials were generally public, but judges had the discretion to make a court session secret. There is no trial by jury. Defendants have the right to be present at trial and the right of timely consultation with an attorney. Defendants have the right to confront or question witnesses against them, but they must do so through the court panel, which decides whether or not to permit the defendant's question. Defendants and their attorneys have access to government-held evidence relevant to their cases and the right of appeal. These rights generally were observed in practice.

Defendants on trial for security cases, which were heard before the Judicial Council, have the same procedural rights as other defendants; however, there was no right to appeal in such cases.

The Military Court has jurisdiction over cases involving the military as well as those involving civilians in espionage, treason, weapons possession, and draft evasion cases. Civilians may be tried for security issues, and military personnel may be tried for civil issues. The Military Court has two tribunals--the permanent tribunal and the cassation tribunal--the latter hears appeals from the former. A civilian judge chairs the higher court. Defendants on trial under the military tribunal have the same procedural rights as defendants in ordinary courts.

During the year, there were several reports that Hizballah subjected former SLA operatives who returned to their villages to regular harassment including arrest. In July, one parliamentarian publicly criticized Hizballah for detaining Fouad Mazraani on the accusation of cooperating with the Israelis. Although Mazraani was released, the parliamentarian argued that any such action was the responsibility of the Government.

During the year, the Military Court concluded the cases of the remaining SLA militiamen who surrendered to the Government following the IDF withdrawal. Domestic human rights groups and international nongovernmental organizations (NGOs) reported that the trials were open to journalists and members of the public but were not fair. The standard defense presented by lawyers was that the Government had been unable to defend citizens living under Israeli occupation, and the residents had no choice but to work with the occupiers.

Approximately one-third of the former SLA members received 1-year prison sentences and approximately one-third received sentences of 3 to 4 weeks. The Military Court denied every recommendation for the death sentence. Most SLA members have served their sentences and have been released; others continued to serve their sentences as regular prisoners (see Section 1.d.).

In 2002, Mahmoud Salim Mahbouba filed a claim that armed individuals broke into his house and kidnapped his son, Mohammed, a former SLA member who was released from Roumieh prison after serving a 2-year sentence. Subsequently, Mohammed Mahbouba was released, but by year's end, no action had been taken to determine who committed the crime.

In 2001, the bar association lifted the immunity of lawyer Muhammad Mughrabi to permit Mughrabi's prosecution for criticizing the country's judicial system at a press conference. Subsequently, five different penal cases were started against him, but no action was taken on any of them during the year.

There was no action taken in the 77 military and civilian cases of Aoun and Ja'Ja supporters. The cases of Nadim Lteif and Hikmat Deeb, who were charged with defaming the Lebanese and Syrian armies, were referred to both military and civilian courts (see Section 1.d.). At year's end, their case remained pending. The court continued to schedule sessions, but it repeatedly postponed action.

In February, in an unprecedented verdict, the penal judge of Beirut dismissed charges against 13 anti-Syrian activists (11 Aounists and 2 Lebanese Forces supporters arrested in August 2001, saying that, "having opposing views does not constitute a violation of the law."

Palestinian groups in refugee camps operated an autonomous and arbitrary system of justice. For example, local popular committees in the camps attempted to solve disputes using tribal methods of reconciliation. If the case involved a killing, the committees occasionally used their good offices to hand over the perpetrator to Lebanese authorities for trial.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution provides for the inviolability of the domicile; however, authorities frequently interfered with the privacy of persons regarded as enemies of the Government. The law requires that prosecutors obtain warrants before entering homes, except when the security forces are in close pursuit of armed attackers; however, the law was not respected in practice.

The Government and Syrian intelligence services used informer networks and monitored telephones to gather information on their perceived adversaries. The Army Intelligence Service monitored the movements and activities of members of opposition groups (see Section 2.b.). The Government conceded that security services monitored telephone calls but claimed that monitoring occurred only with prior authorization from competent judicial authorities.

Militias and non-Lebanese forces operating outside the area of central government authority frequently violated citizens' privacy rights. Various factions also used informer networks and the monitoring of telephones to obtain information regarding their perceived adversaries. Despite a 2000 law regulating eavesdropping, security services continued to eavesdrop without prior authorization. Politicians and human rights advocates reported increasing and more overt government intelligence services' surveillance of political meetings and political activities across the religious and political spectrum.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government limited these rights in practice, particularly by detaining and charging activists critical of government policies and by intimidating journalists and broadcasters into practicing self-censorship. The Government censored television and radio broadcasts on a case-by-case basis.

Despite repeated attempts to restrict freedom of opinion and speech during the year, daily criticism of government policies and leaders continued. Dozens of newspapers and hundreds of periodicals were published throughout the country and were financed by various local and foreign groups. The press was privately owned, and press content often reflected the opinions of financial backers.

The Government continued to restrict radio and television broadcasts in a discriminatory manner. There were 7 television stations and 30 radio stations. The Government owned one television and one radio station; the remaining stations were owned privately. Inexpensive satellite television was available widely.

Although the Government did not censor broadcasts directly, government officials effectively exerted pressure on journalists to practice self-censorship. The Government had several legal mechanisms at its disposal to control freedom of expression. The SG was authorized to censor all foreign magazines and non-periodical works, including plays, books, and films, before they were distributed in the market. The law prohibits attacks on the dignity of the head of state or foreign leaders. The Government may prosecute offending journalists and publications in the Publications Court, a special tribunal empowered to try such matters. Moreover, the 1991 security agreement between the Government and Syria contained a provision that effectively prohibits the publication of any information deemed harmful to the security of either state. In view of the risk of prosecution, journalists censored themselves on matters related to Syria.

In March, the Surete Generale censored a video clip entitled "Why Are You Emigrating?" by Najwa Karam, a well-known singer. The censorship department at the SG linked the content of the video clip to the clashes that occurred between security forces and some students who were protesting against youth emigration.

In September, the SG acted on a recommendation from the Catholic Center for Information and banned the distribution of the

Arabic translation of the book, "The Da Vinci Code." The SG issued a communiqué stating that the printing law banned the introduction and distribution of any foreign printed material that could incite sectarian tension, harm security, or offend national feelings. As a result, local booksellers removed all French, English, and Arabic copies.

In August, Syrian intelligence officials pressured Lebanese religious clerics to delete a clause from an official statement that called for respecting the Constitution during the presidential elections. The clause was omitted from the local printed press although most local radio and television stations repeatedly broadcast the full text.

The Government continued to harass, abuse, and detain journalists. In March 2003, Adonis Akra, author of a book entitled "When My Name Became 16: 15 Days in Detention," was banned from attending the signing ceremony at a book festival. The Prosecutor General, Adnan Addoum, indicated that Akra signed a petition pledging neither to publish his book nor to participate in any advertising activity for the book. Akra was among those arrested during a 2001 opposition crackdown. Akra and the owner of the publishing house were referred to the Publication Court for harming the army, the judiciary, the political authority, and the country's relations with a sisterly nation. The court had begun a hearing process, and several court hearings were conducted; however, at year's end, it was unclear when a verdict would be issued.

In July 2003, on the instructions of the Prosecutor General, Beirut Public Prosecutor Joseph Maamari charged Amer Mashmushi, the managing director of the daily al-Liwa, with defaming the President of the Republic. If convicted, Mashmushi could serve a sentence of up to 2 years imprisonment and a fine of up to \$60,000 (90 million pounds). At year's end, Mashmushi had not been jailed, but the case was still pending in court.

In November 2003, Beirut Chief Investigating Judge Hatem Madi formally indicted self-exiled former general Michel Aoun and charged him under Article 288 of the Penal Code for making statements unauthorized by the Government which could harm the country's relations with a sisterly nation, spreading false news abroad, aggravating sectarian tensions, and impersonating a high civilian government official when he testified before a foreign government. If convicted, Aoun could face imprisonment for up to 15 years and be banned from returning to the country. The case was referred to court at the end of 2003 and, at year's end, a court hearing was scheduled for February 8, 2005.

There were no new developments in the 2002 censorship lawsuits against the International Herald Tribune for a pro-Israeli advertisement of the Anti-Defamation League. In February 2003, the Beirut investigating judge issued a permanent search warrant to disclose the names of persons responsible for running the advertisement. At year's end, the warrant was not cancelled, but authorities have said it would not be pursued, and the case was regarded as closed.

On July 13, the Publication Court in Beirut dropped the 2002 censorship lawsuit against the Saudi-owned Asharq al-Awsat and its responsible editor, stating that there was not an intention to "insult the President of the Republic nor to disturb civil order."

Still pending was the 2002 lawsuit by the Beirut Public Prosecutor against the chairman and news editor of Lebanese Broadcasting Corporation International for having "instigated sectarian discord and threatened civil peace" during its coverage of a shooting incident during which eight employees of the Ministry of Education were killed. Similarly, still pending was the 2002 case against the Murr Television Station (MTV), its political news director, and the host of the "Referendum" political talk show with "broadcasting material whose nature is to damage ties to a sisterly nation" (Syria) and "assailing the dignity of the President, slandering the security services, and undermining social order."

At year's end, MTV and Radio Mount Lebanon (RML) remained closed. In April 2003, the Lebanese Publication Court of Cassation ruled against reopening MTV and RML, marking the end of a series of appeals to reverse the September 2002 closure decision. Both had been closed in 2002 under the Parliamentary Election Law, which stipulates closure for broadcasting election propaganda during campaigns.

During 2002, State Prosecutor Addoum announced that he would examine declarations, including television interviews and press statements, made by opposition members in the country and abroad after the Christian Maronite World Congress held in Los Angeles in June 2002 in search of incriminating elements. This included statements about Syria and the Syria Accountability Act. Addoum ordered security agencies to gather information about opposition activities outside of the country.

In general, the Government did not restrict Internet access, and it was used widely.

The Government did not restrict academic freedom, and the country had a strong private educational system.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly; however, the Government restricted this right in practice. Any group that wished to organize a rally had to obtain the prior approval of the Ministry of Interior, which did not render decisions consistently. Groups opposing government positions sometimes did not receive permits.

On several occasions during the year, military personnel used excessive force to disperse protesters of government political and economic policies and the Syrian presence in the country, sometimes detaining or arresting them (see Sections 1.c. and 1.d.).

During March, there were several demonstrations and sit-ins. On March 8, there were clashes between residents of Beirut's southern suburbs of Jnah and Lebanese security forces after residents prevented technicians from the national power company, Electricite du Liban, from removing illegal electricity connections. LAF and ISF personnel fired into the air to disperse protestors. Ricocheting shrapnel injured three persons.

On March 10 and 12, the anti-Syrian Free Patriotic Movement (FPM) organized two separate demonstrations in Beirut. These demonstrations were carried out despite an order from the Governor of Beirut banning demonstrations until the municipal elections were completed in May. The first, at the St. Joseph University, protested Syrian occupation, which it claimed was leading to youth emigration. When the students attempted to take their protests outside the university campus, they were prevented by the security forces, which beat the students back with rifle butts and batons. Several students and security personnel, including a senior ISF officer, were injured. Three students were arrested but released shortly thereafter. The second demonstration was organized by the FPM to mark the 15th anniversary of the "war of liberation" launched during 1989 by exiled General Michel Aoun against Syrian troops stationed in the country. Riot police, backed by army troops, beat protestors and used water canons to break up the demonstration. At least 10 students were injured, and 4 were detained briefly.

On April 4, reportedly 10 persons were injured after security forces attacked and beat with batons demonstrators attempting to march to the U.N. Economic and Social Commission for Western Asia building in Beirut. The protestors reportedly sought to submit a petition calling for release of Lebanese held in Syrian prisons; the demonstrators defied a ban on demonstrations issued by the Governor of Beirut.

On May 27, the General Confederation of Labor called for a general strike to protest high fuel prices. The protest, carried out mostly by van and taxi drivers, turned violent when protestors closed roads with burning tires in the neighborhood of Hay el-Sullum in the southern suburbs of Beirut. When LAF troops attempted to open roads, protestors pelted them with stones. LAF troops opened fire on demonstrators killing five persons and wounding several others. After the shootings, demonstrators stormed the nearby Ministry of Labor and set it on fire. The seven-story building was severely damaged. On May 31, the Government held a special session to denounce the riots and announced compensation for the victims' families, with payments of \$33,000 (50 million Lebanese pounds) each. Forty-eight persons were arrested and charged by a military investigator with incitement to riot, resisting security forces, and assisting rioters (see Section 1.a.). The military tribunal conducted the trial and, on June 19, sentenced all of those arrested to imprisonment ranging from 21 to 30 days in jail.

In June, security services allegedly asked the owner of a Beirut hotel not to provide the hotel premises as a venue for an opposition meeting. The opposition planned to release the "Beirut Declaration" that called for the application of the Taif accords that ended the civil war, genuine national reconciliation, and national sovereignty.

The Constitution provides for freedom of association, and the Government did not interfere with most organizations; however, it imposed limits on this right. The law requires every new organization to submit a notification of formation to the Ministry of Interior, which issues a receipt. In addition to what is provided by law, the Ministry of Interior imposed on organizations further restrictions and requirements that were not enforced consistently. The Ministry in some cases sent notification of formation papers to the security forces, which then conducted inquiries regarding an organization's founding members. The Ministry may use the results in deciding whether to approve the group. The Ministry at times withheld the receipt, essentially transforming a notification procedure into an approval process. In December 2003, the State Consultative Council ruled in favor of a complaint lodged by a human rights group, ADEL (Justice), and annulled a Ministry of Interior circular that turned the notification process into an approval process. The council ruled that the circular violated the constitutional principle of freedom of association and the law of 1909 that provides for the free incorporation and management of associations without interference by the government. However, in practice, the violations continued at year's end. In January, ADEL launched a campaign for the proper implementation of the association law.

Organizations must invite Ministry representatives to any general assembly where votes are held for by-law amendments or elections are held for positions on the board of directors. The Ministry also required every association to obtain its approval for any change in by-laws; failure to do so could result in the dissolution of the association.

The Cabinet must license all political parties. The Government scrutinized requests to establish political movements or parties and to some extent monitored their activities. The Army Intelligence Service monitored the movements and activities of members of opposition groups (see Section 1.f.).

During the year the Government granted licenses to several political parties.

The Government closely monitored groups critical of Syrian policies, and their members were subject to harassment and arrest by the Government.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice; however, there were some restrictions. Discrimination based on religion is built into the system of government. The Government subsidized all religions, and all Muslim religious judges received monthly salaries from the Government.

There is no state religion; however, politics are based on the principle of religious representation, which was applied to every aspect of public life.

A group that seeks official recognition must submit its dogma and moral principles for government review to ensure that such principles did not contradict popular values and the Constitution. The group must ensure that the number of its adherents is sufficient to maintain its continuity.

Alternatively, religious groups may apply to obtain recognition through existing religious groups. Official recognition conveys certain benefits, such as tax-exempt status and the right to apply the recognized religion's codes to personal status matters. Each recognized religious group has its own courts for family law matters, such as marriage, divorce, child custody, and inheritance. State recognition is not a legal requirement for religious worship or practice. For example, although Baha'is, Buddhists, Hindus, and some evangelical denominations were not recognized officially, they were allowed to practice their faith without government interference; however, their marriages, divorces, and inheritances in the country were not recognized under the law.

Protestant evangelical churches are required to register with the Evangelical Synod, which represents those churches to the Government. Representatives of some churches have complained that the Synod has refused to accept new members since 1975, thereby crippling their clergy's ability to administer to communities with their beliefs. The last time a group was registered was the Coptic Church in 1997. Other groups, such as the Pentecostal Church, encountered difficulty in registering. The Pentecostal Church applied for recognition from the Evangelical Sect, but the leadership of the Evangelical Sect refused to register new groups in contravention of Lebanese law. The Pentecostal Church is pursuing recourse through the Ministry of Interior; however, at year's end, it was still not registered.

The unwritten "National Pact" of 1943 stipulates that the President, the Prime Minister, and the Speaker of Parliament be a Maronite Christian, a Sunni Muslim, and a Shi'a Muslim, respectively. The 1989 Taif Accord, which ended the country's 15-year civil war, reaffirmed this arrangement, but resulted in increased Muslim representation in Parliament and reduced the power of the Maronite President. The LAF, through universal conscription and an emphasis on professionalism, significantly reduced the role of confessionalism (or religious sectarianism) in the armed forces. Christians and Muslims were represented equally in the Parliament. Seats in the Parliament and Cabinet and desirable posts in the civil service were distributed proportionally among the 18 recognized groups (see Section 3).

The Government required that religious affiliation be encoded on national identity cards, but not on passports.

Many family and personal status laws discriminated against women. For example, Sunni inheritance law provides a son twice the inheritance of a daughter. Although Muslim men may divorce easily, Muslim women may do so only with the concurrence of their husbands. There is no law that permits civil marriages, although such ceremonies performed outside the country were recognized by the Government. Only religious authorities may perform marriages.

There were no legal barriers to proselytizing; however, traditional attitudes and edicts of the clerical establishment strongly discouraged such activity. In 2002, there were reports that members of the Maronite Christian community in Kesirwan, with the knowledge of local clergy, occasionally verbally harassed church leaders and persons who attended an unrecognized Protestant evangelical church.

The Arab-Israeli conflict and Israel's occupation of the southern part of the country nurtured a strong antipathy toward Israelis, and Lebanese media often reflected that sentiment. Hizballah, through its media outlets, regularly directed strong rhetoric against Israel and its Jewish population and characterized events in the region as part of a "Zionist conspiracy."

The television series, *Ash-Shatat* ("The Diaspora"), which centered on the alleged conspiracy of the "The Protocols of the Elders of Zion" to dominate the world, was aired in October and November 2003 by the Lebanon-based satellite television network Al-Manar, owned by Hizballah.

Writing a new curriculum for the public schools was one of the requirements included in the Taif Accord of 1989 that ended the country's civil war. The new curriculum, which began to be implemented during the year, included anti-bias and tolerance education. There is no specific reference to or designation of crimes as hate crimes in legislation.

In December 2002, a bomb blast destroyed a mosque and shrine in Anjar near the border with Syria but injured no one. The shrine reportedly was 800 years old and a popular pilgrimage site for Sunni Muslims. Local residents stated that a Muslim charitable endowment that owned the mosque grounds had been involved in long-running disputes with local persons over land ownership in the area. Authorities investigated the attack; however, at year's end, no juridical action had been taken. Also at year's end, no one had been arrested in connection with the 2002 bombing of a Greek Orthodox church in Tripoli and the Saint Elias Maronite church in Sidon and the burning of a mosque.

Also in 2002, a Sunni army conscript shot a Christian conscript. The security forces chased the culprit and killed him in an exchange of gunfire. Security forces arrested a Sunni cleric associated with stimulating the attack and charged him with inciting confessional violence in connection with the incident; however, he was released without prosecution.

During 2002, an American citizen missionary affiliated with the Christian and Missionary Evangelical Alliance was killed in Sidon. No group claimed responsibility for the killing, but on September 22, the Prosecutor General said that members of the al-Qaeda played a role in the assassination (see Section 1.a.).

For a more detailed discussion, see the [2004 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice; however, there were some limitations. The law prohibits travel to Israel. The LAF and Syrian troops maintained checkpoints throughout much of the country. All men between 18 and 21 years of age are subject to compulsory military service and are required to register at a recruitment office and obtain a travel authorization document before leaving the country. Married women can obtain a passport without their husband's signature and approval. Spouses may obtain passports for their children who are less than 7 years of age after obtaining the approval of the other spouse. To obtain a passport for a minor child between 7 and 18 years, the father or legal guardian needs to sign the request to obtain a passport (see Section 5).

The law does not provide for forced exile, and it was not practiced regularly.

There were no legal restrictions on the right of citizens to return to the country. However, many émigrés were reluctant to return for a variety of political, economic, and social reasons. The Government encouraged the return to their homes of over 600,000 persons internally displaced during the civil war. Although some persons began to reclaim homes abandoned or damaged during the war, the vast majority had not attempted to reclaim and rebuild their property. The resettlement process was slowed by tight budgetary constraints, destroyed infrastructure, political feuds, a lack of schools and economic opportunities, and the fear that physical security still was inadequate in some parts of the country.

In 2000, approximately 6,000 SLA militiamen and their families fled to Israel; approximately 3,000 eventually returned to the country. Of the former SLA personnel who returned, all received prison sentences (see Section 1.e.). The Government continued to welcome SLA militia to return to the country, but stated they would face trial.

Most refugees were Palestinians. The U.N. Relief and Works Agency (UNRWA) reported that the number of Palestinian refugees in the country registered with the UNRWA was approximately 390,000. This figure, which represented refugees who arrived in 1948 and their descendents, was presumed to include many thousands who reside outside of the country. Most experts estimated that the actual number in the country was between 150,000 and 200,000. According to SG records, the number of registered Palestinian refugees was approximately 418,000. Most Palestinian refugees were unable to obtain citizenship and were subject to governmental and societal discrimination, particularly in the area of employment; however, Palestinian women who married Lebanese men could obtain citizenship (see Section 5). In May 2003, the State Consultative Council invalidated the 1994 naturalization decree in which several thousand Palestinian nationals were naturalized. As a result, approximately 4,000 cases, some of which are families including several siblings, will lose their Lebanese citizenship. The Council referred the issue to the Ministry of Interior to review the files and decide their legal status. The Ministry continued to review the files; however, it had not issued a decision by year's end.

The Government issued travel documents to Palestinian refugees to enable them to travel and work abroad. The Government did not issue visitors' visas to Jordanian nationals who were born in the country and were of Palestinian origin.

On several occasions, Hizballah operatives interfered with the freedom of movement of U.N. Interim Forces in Lebanon (UNIFIL) personnel. According to the U.N. Secretary General's report, at year's end, no action had been taken against the 15 Hizballah operatives who injured 3 UNIFIL observers in April 2002, despite government assurances that the perpetrators would be arrested and brought to trial.

The law does not provide for the granting of asylum or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol. Although the law does not provide for granting refugee status, the Government has found mechanisms to provide assistance. In practice, the Government provided some protection against refoulement, the return of persons to a country where they feared persecution, and granted refugee status to a limited number of Sudanese. The Government cooperated with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and asylum seekers. The Government also provided temporary protection to individuals who may not qualify as refugees under the 1951 Convention/1967 Protocol to approximately 3,000 persons during the year. In September 2003, the SG signed an agreement with the UNHCR recognizing and granting protection to non-Palestinian refugees, providing temporary relief for those seeking determination of refugee status. Those wishing to claim refugee status have to do so within 2 months of arriving in the country. The SG issues residence permits, valid for 3 months, during which time UNHCR must make a refugee status determination. The SG extended residency permits for up to a total of 12 months for those accorded refugee status by UNHCR. The Government granted admission and temporary (6 months) refuge to asylum seekers, but not permanent asylum. The Government generally cooperated with the offices of UNHCR and UNRWA.

According to the UNHCR, there were nearly 2,500 non-Palestinian refugees, primarily Iraqis, Somalis and Sudanese, residing in the country. The SG detained few, and the UNHCR was granted access to them.

On June 6, the 30 Iraqi Kurds who had been stranded in Naqura on the Lebanese-Israeli border were voluntarily repatriated to Iraq after 3 years spent in limbo. The return was organized in coordination with UNHCR, the U.N., the SG, and foreign embassies.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides that citizens have the right to change their government in periodic free and fair elections; however, Syrian influence in local politics is a practical barrier to the exercise of this right. Lack of control over parts of the country, defects in the electoral process, and corruption in public office significantly restricted this right.

The Constitution provides that elections for the Parliament must be held every 4 years. In turn, the Parliament elects the president every 6 years. The president and the Parliament nominate the prime minister, who, with the president, chooses the Cabinet. According to the unwritten National Pact of 1943, the president must be a Maronite Christian, the prime minister a Sunni Muslim, and the Speaker a Shi'a Muslim (see Section 2.c.).

The parliamentary elections in 2000 showed fewer incidents of voter fraud and tampering with ballots than previous elections; however, the process was flawed with serious shortcomings, including Syrian government influence on the electoral law and candidate selection, progovernmental media manipulation, and improper activities of security services.

In May, municipal elections were held in approximately 750 municipal boards. Voter turnout was high in most villages and cities with the exception of Beirut where participation was low. Voting was orderly with no reports of major disturbance or fraud.

On September 3, amid evidence of heavy Syrian manipulation and coercion, Parliament voted for a constitutional amendment extending the term of President Lahoud for 3 years; 96 parliamentarians voted in favor of extension, 29 opposed, and 3 were absent from the session.

In September 2003, a by-election held in the Baabda-Aley district for a Maronite Christian seat reportedly took place in a calm atmosphere, without government pressure to vote for a particular candidate or government interference in campaigning; however, there were a few technical irregularities.

There was a widespread perception of corruption at all levels of government, including foreign involvement, however, no steps were taken to address the problem.

There are no laws regarding public access to government documents, either allowing or denying access. In practice, the Government does not respond to requests.

Women have the right to vote, and there are no legal barriers to their participation in politics; however, there were significant cultural barriers. Prior to October, no woman had held a Cabinet position; however, at that juncture, two women were named to the Cabinet. Since 1992, there have been only 3 women in the 128-seat Parliament. As the political system is based on confessionalism, all parliamentary seats are assigned by religious group. Even the smallest officially recognized confessions are allotted at least two seats in Parliament.

Palestinian refugees had no political rights (see Section 5). An estimated 17 Palestinian factions operated in the country and were generally organized around prominent individuals. Most Palestinians lived in refugee camps controlled by one or more factions. Refugee leaders were not elected, but there were "popular committees" that met regularly with UNRWA and visitors.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Several local human rights groups generally operated freely without overt government restriction, including the Lebanese Association for Human Rights, the Foundation for Human and Humanitarian Rights-Lebanon, and the National Association for the Rights of the Disabled, investigating and publishing their findings. In general, government officials were cooperative, except when some of these groups sought to publicize the detention in Syria of hundreds of citizens. The bar association and other private organizations regularly held public events that included discussions of human rights issues. Some human rights groups reported harassment and intimidation by government, Syrian, or Hizballah forces.

The Government generally cooperated with international NGOs and met with them during the year. In 2002, the U.N. High Commissioner for Human Rights met with senior government officials. The ICRC and AI maintained offices in the country. During the year, government officials discussed human rights problems with representatives of foreign governments and NGOs.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The Constitution provides for equality among all citizens; however, in practice, some aspects of the law and traditional beliefs discriminated against women. Although the law reserves a percentage of private sector and government jobs to persons with

disabilities, there were few accommodations made for them. Discrimination based on race, language, or social status is illegal and was not widespread among citizens; however, foreign domestic servants often were mistreated. There was credible evidence that foreign domestic servants suffered physical abuse, had pay withheld or unfairly reduced, or were forced to remain locked within their employer's home for the duration of their contracts.

Women

The law does not specifically prohibit domestic violence and domestic violence against women was a common problem. There were no authoritative statistics on the extent of spousal abuse; however, most experts agreed that the problem affected a significant portion of the female population. Cases reported were believed to be only a fraction of the actual number. Despite a law prohibiting battery with a maximum sentence of 3 years in prison for those convicted, some religious courts legally may require a battered wife to return to the house in spite of physical abuse. Many women were compelled to remain in abusive marriages because of social and family pressures. Possible loss of custody of children and the absence of an independent source of income also prevented women from leaving their husbands.

The Government had no separate program to provide medical assistance to battered women; however, it provided legal assistance to victims who could not afford it regardless of their gender. In most cases, police ignored complaints submitted by battered or abused women. A local NGO, the Lebanese Council to Resist Violence Against Women, worked actively to reduce violence against women by offering counseling and legal aid and raising awareness about domestic violence.

Foreign domestic servants often were mistreated, abused, and in some cases, raped or placed in slavery-like conditions (see Section 5, Trafficking). Asian and African female workers had no practical legal recourse available to them because of their low status, isolation from society, and because the labor laws did not protect them (see Section 6.e.). Because of such abuse, the Government prohibited foreign women from working if they were from countries that did not have diplomatic representation in the country.

The law prohibits rape, and the minimum sentence for a person convicted of rape is 5 years in prison. The minimum sentence for a person convicted of raping a minor is 7 years. During the year, the courts issued several sentences in cases involving rape; most offenders received 5 to 7 years in jail.

The legal system was discriminatory in its handling of "honor crimes." According to the Penal Code, a man who kills his wife or other female relative may receive a reduced sentence if he demonstrates that he committed the crime in response to a socially unacceptable sexual relationship conducted by the victim. For example, while the Penal Code stipulates that murder is punishable by either a life sentence or the death penalty, if a defendant can prove it was an honor crime, the sentence is commuted to 1 to 7 years imprisonment. Several honor crimes are reported in the media every year. No person has been convicted in a case legally considered an honor crime.

The 1931 law on prostitution requires that brothels be licensed and that sex workers be tested regularly for disease. The law remains on the books and technically in effect. However, government policy since the late 1960s was to stop issuing new licenses for brothels in an attempt to gradually eliminate legal prostitution in the country; however, as a result of the civil war and the weakness of government institutions, illicit prostitution spread. In practice, most prostitution is unlicensed and illegal. Thousands of foreign women, primarily from Russia and Eastern Europe, traveled to the country to work as "artistes." The SG actively investigates adult clubs employing "artistes" and issues warnings to those that do not comply with regulations regarding employee working schedules and documentary requirements. The country was a destination for trafficked persons, primarily women (see Section 5, Trafficking).

The law prohibits sexual harassment; however, it was a widespread problem. Women had varying employment opportunities in government, medicine, law, academia, the arts, and to a lesser degree, business. However, social pressure against women pursuing careers was strong in some parts of society. Men sometimes exercised considerable control over female relatives, restricting their activities outside of the home or their contact with friends and relatives.

Women may own property but often ceded control of it to male relatives for cultural reasons and because of family pressure.

The law provides for equal pay for equal work for men and women. The law gives women working for the Government the same rights as men in terms of medical coverage and hospitalization, meaning that women serving in government can claim reimbursement for medical coverage, hospitalization, and family allowances in cases when they are single or their husband is unemployed or does not otherwise have coverage.

Only men may confer citizenship on their spouses and children. Accordingly, children born to citizen mothers and foreign fathers are not eligible for citizenship. Citizen widows may confer citizenship on their minor children.

Children

The plight of children was a growing concern for the Government. Education was free in public schools and compulsory until age 13. However, public schools generally were inadequate, lacking proper facilities, equipment and trained staff. A 2003 study

indicated that 70 percent of Arabic teachers in public schools were not sufficiently literate in Arabic. The cost of private education was a significant problem for the middle and lower classes. UNICEF reported that in the 2000 school year, approximately 85 percent of children between the ages of 3 and 5, and approximately 98 percent of children between the ages of 7 to 11 were enrolled in school. In some families with limited incomes, boys received more education than girls. The illiteracy rate was approximately 11.6 percent. It was 7.7 percent among men and 15.4 percent among women. An undetermined number of children were neglected, abused, and exploited. There are periodic reports that parents force children to beg in the streets or work in the fields to help support the family. Poor children often were compelled by their parents to seek employment and often took jobs that jeopardized their safety (see Section 6.d.). The normal procedure for adoption was through religious homes or institutions authorized to arrange adoption; however, the demand to provide infants for adoption abroad resulted in illegal international adoptions. There were no statistics available concerning the prevalence of the illegal adoption of infants. The Government did not have specific child protection laws to remove children from abusive situations and did not grant NGOs adequate legal standing to litigate on behalf of abused minor children.

Again, during the year, NGO's throughout the country reported that child prostitution was a problem. The authorities discovered and broke up three child prostitution rings. In two of the cases, the perpetrators were charged with facilitation, in the third, with child prostitution. At year's end, the cases were pending prosecution.

Trafficking in Persons

Trafficking in persons was a problem. The law does not specifically prohibit trafficking in persons. The Penal Code stipulates that, "any person who deprives another of freedom either by abduction or any other means shall be sentenced to temporary hard labor"; however, during the year, the Government did not apply this code to trafficking cases. Prostitution was legal and regulated by the Government. The country was a destination for African and Asian women, contracted as household workers, and East European and Russian women, contracted as dancers in adult clubs. Evidence indicates that many of these women are coerced or recruited into prostitution once in the country. Most of these women came voluntarily with legitimate work permits, but an unknown number entered the country illegally, and many of those with work permits ended by working illegally. Based on complaints registered with embassies, NGOs, and the Government, members of these groups often found themselves in coercive work situations with little practical legal recourse.

If forced prostitution or forced rendering of sexual services occurred as a result of an abduction, the Penal Code stipulates that the abductor be sentenced to at least 1 year in prison; however, this law was applied inconsistently. During the year, the media reported upwards of 60 cases of suspects sentenced on charges of forced prostitution.

Many women became illegal workers because their employers did not renew their work and residency permits. Unscrupulous employers sometime falsely accused the employee of theft to relinquish responsibility for the employee as well as the taxes and airline ticket home (see Section 6.e). Restrictions of movement and withholding of passports were common practice. A small number of exploited foreign workers won cases against their employers. Nonjudicial action resolved the majority of these cases. As a result of that process, workers frequently were repatriated without further judicial action on their cases. A few cases were referred to the judiciary for further action, although the Government took minimal steps to prosecute traffickers.

Among cases of abuse reported to one NGO dealing with migrant worker abuse, the Government took the following actions: 23 were dropped for insufficient evidence; at year's end, 8 were in the process of administrative settlement between the victim and the employer or agent; in 2 cases, the victims did not want to pursue the matter; the status of 3 had not been determined; and 5 were being actively pursued or prosecuted.

In addition, four Filipinas working as migrants died during the year. In the case of Herra Olandres, who died on August 24, two medical reports acknowledged signs of rape 24 hours prior to her death. At year's end, the case was under investigation by the Detectives' Bureau of the ISF. In the case of Luz Pacuan, who died on May 8, the file was closed because the presiding judge considered the death accidental. The Government closed the case of Catherine Bautista, who died on May 5, finding no evidence that her employer sexually abused her. The case of Luella Montenegro, who died on February 25, is still under investigation. The press reported that three of the four women were believed to be attempting to flee abusive work environments when they died.

In April, the SG closed a nightclub at which there were 60 illegal Ethiopian migrant workers; 18 were arrested for engaging in prostitution.

In August, the SG closed two agencies bringing migrant workers into the country illegally. One proprietor was indicted; prosecution is pending. In February, two other such agencies were closed; however, there is no report of prosecutions stemming from these closures.

In October 2003, a judge sentenced an employer to 3 months' imprisonment and ordered him to pay approximately \$500 (800,000 Lebanese pounds) in compensation for failing to pay the salary of his Ethiopian maid. The judge exempted him from imprisonment in exchange for paying an additional penalty of \$200 (300,000 Lebanese pounds) and \$500 (800,000 Lebanese pounds) for all other expenses related to the case.

During 2003, 131 suspects were arrested for smuggling persons. Authorities also closed 5 drinking establishments and a

massage parlor and issued 51 warnings to 30 adult clubs for noncompliance with regulations, including prostitution.

The country has made modest progress in protecting victims of trafficking. The Government did not provide foreign workers with relief from deportation, shelter, or access to legal, medical or psychological services; however, the Government cooperated with NGOs and allowed them access to detention facilities. In November 2003, the Ministry of Labor required employers to provide higher-value insurance to cover repatriation expenses of trafficking victims. A number of NGOs provided legal assistance and counseling to trafficking victims at no cost to the victims.

During 2003, the Ministry of Labor enacted regulations defining employment agencies and household employers' responsibilities with regard to the treatment of domestics.

The Government has taken some steps in the area of prevention. In January, the government prohibited advertisements offering the services of foreign maids. However, this regulation is not uniformly applied.

In September, the Ministries of Justice and Interior published pamphlets, which defined trafficking, and informed potential victims on how to contact embassies, the ISF, the Red Cross, and NGOs for assistance. The pamphlets are being distributed to migrant workers upon arrival at Beirut International Airport.

During 2003, the Government signed a protocol of understanding with the Sri Lankan Ministry of Labor to ensure better working conditions for Sri Lankan workers and to provide legally for their rights.

Persons with Disabilities

Discrimination against persons with disabilities continued. For example, the civil service board, which is in charge of recruiting government employees, refused to receive application from disabled persons. The Disability Law mandates disabled access to buildings; however, the Government failed to take steps to amend building codes to conform to the law. Approximately 100,000 persons became disabled during the civil war. Families generally cared for persons with disabilities. Most efforts to assist persons with disabilities were made by approximately 100 private organizations. These organizations were relatively active, although poorly funded.

The law on persons with disabilities stipulates that at least 3 percent of all government and private sector positions should be filled by persons with disabilities, provided that such persons fulfill the qualifications of the position; however, there was no evidence that the law was enforced in practice.

In 2002, joint committees composed of the National Committee for the Disabled and the Ministries of Health, Labor, and Education were formed to implement the law on persons with disabilities. In 2002, the Ministry of Finance informed all firms and companies that it would not settle obligations with them unless they proved that 3 percent of their workforce was composed of persons with disabilities; however, the Ministry failed to enforce this decision in practice.

Many persons with mental disabilities are cared for in private institutions, many of which are subsidized by the Government.

National/Racial/Ethnic Minorities

According to the UNRWA, an estimated 390,000 Palestinian refugees were registered in the country (see Section 2.d.); however, it was believed that approximately 150,000 to 200,000 Palestinians actually resided in the country. Most Palestinian refugees lived in overpopulated camps that suffered repeated heavy damage as a result of fighting during the civil war, during the Israeli invasion of the country, and during on-going camp feuds. The Government generally prohibited the construction of permanent structures in the camps on the grounds that such construction encouraged the notion of permanent refugee settlement in the country. Refugees feared that the Government might reduce the size of the camps or eliminate them completely. Very few Palestinians received work permits, and those who found work usually were directed into unskilled occupations. Palestinian incomes continued to decline. The law prohibited Palestinian refugees from working in 72 professions.

Palestinian refugees do not have the right to own property in the country. Palestinians no longer may purchase property and those who owned property prior to 2001 will be prohibited from passing it on to their children. The Parliament justified these restrictions on the grounds that it was protecting the right of Palestinian refugees to return to the homes they fled after the creation of the state of Israel in 1948. Other foreigners may own a limited-size plot of land, but only after obtaining the approval of five different district offices. The law applies to all foreigners, but it was applied in a manner disadvantageous to the 25,000 Kurds in the country. The Government did not provide health services or education to Palestinian refugees, who relied on UNRWA for these services.

Palestinian children reportedly were forced to leave school at an early age to help earn income. The U.N. estimated that 18 percent of street children in the country were Palestinian. Poverty, drug addiction, prostitution, and crime reportedly were increasing in the camps, although reliable statistics were not available.

Other Societal Abuses and Discrimination

The law prohibits unnatural sexual intercourse, which is punishable by up to 1 year in prison; however, homosexuality is not specifically illegal. Citizens' sexual preferences reflect societal norms, not legal rulings. There are no discriminatory laws against persons with HIV/AIDS.

Section 6 Worker Rights

a. The Right of Association

The law provides that all workers, except government employees, may establish and join unions, and workers exercised this right in practice. There are no reasonable estimates as to the number of persons in the active labor force, but it is estimated that 5 to 7 percent of workers were members of some 450 to 500 labor unions and associations. Most of these unions formed federations. At year's end, 37 federations were voting members of the General Confederation of Labor (GCL). However, 24 of the 37 confederations, all created in the 1990s, remained "virtual," that is, created by political interest groups to offset the votes of the 13 established labor confederations that actually represent workers. The GCL remained the only organization recognized by the Government as an interlocutor that represented workers.

Antiunion discrimination appeared to be widespread. In October, two labor leaders were fired from the Lebanese Postal Service for union activities. Labor unions interceded on numerous occasions to address the firing of unionists from companies. On December 15, the head of the GCL participated in a sit-in to protest firings at the Postal Service.

Palestinian refugees may organize their own unions; however, because of restrictions on their right to work, few Palestinians participated actively in trade unions.

Unions were free to affiliate with international federations and confederations, and they maintained a variety of such affiliations.

b. The Right to Organize and Bargain Collectively

The right of workers to organize and to bargain collectively exists in law and practice. Most worker groups engaged in some form of collective bargaining with their employers. Stronger federations obtained significant gains for their members and on occasion assisted nonunion workers. There were no government mechanisms to promote voluntary labor-management negotiations, and workers had no protection against antiunion discrimination.

The law provides for the right to strike. In May, the General Confederation of Labor called for a general strike to protest the high price of fuel and gasoline. The demonstration became violent, and clashes with the security forces resulted in the death of five persons (see Section 2.b.).

In December 2003, Lebanese University (LU) professors and students staged the largest demonstration in the country since 1992 when more than 15,000 people marched to protest threats to LU's autonomy, administrative shortcomings, and shrinking budgets.

In October 2003, the GCL called a general strike to protest high unemployment, deteriorating social benefits, high taxes, planned privatization, and frozen minimum wages. An estimated 4,000 to 8,000 people participated in a peaceful march.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law does not specifically prohibit forced or compulsory labor, including by children; however, articles within the law prohibit behavior that constitutes forced or compulsory labor. These include article 569 of the penal code, which prohibits deprivation of personal freedom, clause 5 of article 569, which prohibits using a person deprived of personal freedom to "perform a task," and article 11 of the labor code, which limits the scope of work agreements. The country adheres to International Labor Organization conventions 29 and 105 that prohibiting forced labor, and these conventions have the force of law. Nevertheless, children, foreign domestic workers, and other foreign workers sometimes were forced to remain in situations amounting to coerced or bonded labor (see Sections 5 and 6.e.).

d. Prohibition of Child Labor and Minimum Age for Employment

Child labor was a problem. The minimum age for child employment is 14 years. Under the law, minors are defined as children aged between 14 and 18 years. The law prohibits the employment of juveniles before they undergo a medical exam to ensure their fitness for the job for which they are hired. The labor code prohibits employment of workers under the age of 18 for more than 6 hours per day, and requires 1 hour of rest if work is more than 4 hours. The law also entitles juveniles to 21 days of paid annual leave.

Juveniles are prohibited from working between the hours of 7 p.m. and 7 a.m. The law prohibits juveniles under the age of 17

from working in jobs that jeopardize their health, safety, or morals. It also prohibits the employment of juveniles under 16 in industrial jobs or jobs that are physically demanding or harmful to their health. The Ministry of Labor was responsible for enforcing these requirements; however, it did not apply the law rigorously. In 2002, a law was passed regarding the protection of juveniles exposed to danger. In September, the Government took steps to implement the law. In cooperation with the U.N. Office for Drug Control and Crime Prevention, the Government inaugurated the Center for Juvenile Victims of Physical Abuse. As such, juveniles will no longer be interrogated at police stations but rather at the center, which is equipped according to international norms, in the presence of a social worker.

According to the final report on the "State of the Children in Lebanon 2000" released by the Central Statistics Administration in 2002 in collaboration with UNICEF, the percentage of working children between the ages of 10 and 14 was 1.8 percent. The percentage of working children between the ages of 15 and 18 was 11.3 percent. According to the report, 90 percent of child laborers were not covered by any health insurance.

e. Acceptable Conditions of Work

The Government set a legal minimum wage; during the year, it was approximately \$200 (300,000 Lebanese pounds) per month. The law was not enforced effectively in the private sector. The minimum wage was insufficient to provide a decent standard of living for a worker and family. Trade unions attempted to ensure the payment of minimum wages in both the public sector and the large-scale private sector.

The labor law prescribes a standard 6-day workweek of 48 hours, with a 24-hour rest period per week. In practice, workers in the industrial sector worked an average of 35 hours per week, and workers in other sectors worked an average of 30 hours per week. The law includes specific occupational health and safety regulations. Labor regulations require employers to take adequate precautions for employee safety. The Ministry of Labor was responsible for enforcing these regulations, and it did so unevenly. Labor organizers reported that workers did not have the right to remove themselves from hazardous conditions without jeopardizing their continued employment.

Foreign domestic workers, mostly of Asian and African origin, often were mistreated, abused, raped, or placed in situations of coerced labor or slavery-like conditions (see Section 5). Recruitment agencies and employers generally signed employment contracts requesting a foreign worker; the prospective foreign workers rarely were party to such contracts or, if they were, might not know what the contract stipulated because it was written in Arabic.

Government regulations prohibit employment agencies from withholding foreign workers' passports for any reason. However, in practice, it continued to be common for employment agencies and household employers to withhold maids' passports.

During 2003, the Ministry of Labor enacted new regulations defining employment agencies and household employers' responsibilities with regard to the treatment of domestics. The Ministry of Labor regularly met with source country embassies to ensure that foreign laborers and domestic workers were aware of the new employment agency regulations and of the Ministry of Labor's complaint office for reporting violations.

The labor laws do not protect foreign domestic workers. Domestic workers often worked 18 hours per day and, in many cases, did not receive vacations or holidays. There was no minimum wage for domestic workers; their average wage was approximately \$100 (150,000 Lebanese pounds) per month. Victims of trafficking or abusive labor situations may file civil suits or seek legal action, but most victims, often counseled by their embassies or consulates, settled for an administrative solution, which usually included monetary compensation and repatriation. The Government does not release information on legal actions filed, but NGOs have indicated that fewer than 10 legal actions were undertaken during the year, with only 1 perpetrator believed to be in prison.

The Ministry of Labor referred cases of abuse reported to its complaint office to law enforcement for investigation and prosecution. It also enacted regulations prohibiting employment agencies from withholding foreign workers' passports for any reason and specifically defined sponsors' responsibilities with regard to the treatment of domestics. In 2003, 15 employment agencies were closed for noncompliance with these regulations, and closures of fraudulent employment agencies abusing foreign migrant workers continued during the year.